

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Eric J. Jennings,

Plaintiff,

v.

Ann Sheppard; Ms. Howard; Brian Kendall;
and LCI Medical,

Defendants.

Case No. 2:21-cv-0449-JFA-MGB

ORDER

Plaintiff Eric J. Jennings (“Plaintiff”), a self-represented former state prisoner, brings this action pursuant to 42 U.S.C. § 1983 alleging cruel and unusual punishment in violation of his Eighth Amendment rights. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), the case was referred to the Magistrate Judge for pretrial proceedings.

After reviewing the complaint and record of this case, the Magistrate Judge assigned to this action¹ prepared a thorough Report and Recommendation (“Report”). (ECF No. 22). Within the Report, the Magistrate Judge opines that Plaintiff’s complaint and related letters (ECF Nos. 1, 9, & 10) should be summarily dismissed with prejudice.

The Report sets forth, in detail, the relevant facts and standards of law on this matter, and this Court incorporates those facts and standards without a recitation.

¹ The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.). The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976).

Plaintiff was advised of his right to object to the Report, which was entered on the docket on February 22, 2022. (ECF No. 22). The Magistrate Judge required Plaintiff to file objections by March 8, 2022. *Id.* Plaintiff failed to file objections. Thus, this matter is ripe for review.

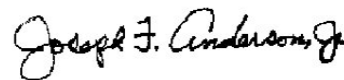
A district court is only required to conduct a *de novo* review of the specific portions of the Magistrate Judge's Report to which an objection is made. *See* 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b); *Carniewski v. W. Virginia Bd. of Prob. & Parole*, 974 F.2d 1330 (4th Cir. 1992). In the absence of specific objections to portions of the Magistrate's Report, this Court is not required to give an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

Here, Plaintiff has failed to raise any objections and therefore this Court is not required to give an explanation for adopting the recommendation. A review of the Report indicates that the Magistrate Judge correctly concluded that Plaintiff's complaint should be summarily dismissed with prejudice should be granted.

After carefully reviewing the applicable laws, the record in this case, and the Report, this Court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. Accordingly, this Court adopts the Magistrate Judge's Report and Recommendation and incorporates it herein by reference. (ECF No. 22). Consequently, Plaintiff's complaint is summarily dismissed with prejudice.

IT IS SO ORDERED.

March 25, 2022
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge